BDB:DBS:cmg

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ANTHONY MAMMANA,	**:**	**No. 4:17-CV-0645**
Plaintiff	**:**	
	:	**(Brann, D.J.)**
v.	**:**	
	:	**(Arbuckle, M.J.)**
FEDERAL BUREAU OF	**:**	
PRISONS, ET AL.	**:**	
Defendants	**:**	**Filed Electronically**

MOTION TO DISMISS AND/OR, IN THE
ALTERNATIVE, FOR SUMMARY JUDGMENT

Defendants David Barben, Rachal Taylor, John Stoltz, and AnnMarie Bruno ask the Court to dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b), and/or ask the Court to enter summary judgment in their favor pursuant to Fed. R. Civ. P. 56.

A brief in support of this motion will be filed in accordance with M.D. Pa. Local Rule 7.5.

Respectfully submitted,

BRUCE D. BRANDLER
United States Attorney

s/ Donald Simpson
Donald Simpson
Assistant United States Attorney
OH 0071431
Cristina M. Guthrie
Paralegal Specialist
228 Walnut Street
Harrisburg, PA 17101
Tel: (717)221-4482
Fax: (717)221-4493
DSimpson@usdoj.gov

Date: September 15, 2017

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ANTHONY MAMMANA,	:	**No. 4:17-CV-0645**
Plaintiff	:	
	:	**(Brann, D.J.)**
v.	:	
	:	**(Arbuckle, M.J.)**
FEDERAL BUREAU OF	:	
PRISONS, ET AL.	:	
Defendants	:	**Filed Electronically**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers. That on September 15, 2017, she served a copy of the attached

MOTION TO DISMISS AND/OR, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT

via the Court's Electronic Case Filing System ("ECF") and that the Addressee(s) listed below are filing users under the ECF system. Upon the electronic filing of a pleading or other document, the ECF system will automatically generate and send a Notice of Electronic Filing to all filing users associated with this case. Electronic service by the Court of the Notice of Electronic Filing constitutes service of the filed document, and no additional service upon the filing user is required.

Addressee(s):
Gary Schafkopf @ Gary@Schaflaw.com

Matthew B. Weisberg @ mweisberg@weisberglawoffices.com

s/ Kamaray C. Shenk
Kamaray C. Shenk
Data Analyst